

**GOVERNMENT OF INDIA
TRIBAL AFFAIRS
LOK SABHA**

STARRED QUESTION NO:459
ANSWERED ON:26.04.2013
VIOLATION OF FOREST RIGHTS
Bhagat Shri Sudarshan;Lal Shri Kirodi

Will the Minister of TRIBAL AFFAIRS be pleased to state:

- (a) whether despite implementation of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, the rights of the forest dwellers are not being protected and cases of violation of provisions of the said Act are being reported /noticed by the Government;
- (b) if so, the number of such complaints reported/noticed during each of the last three years and the current year, State/UT-wise;
- (c) the number of cases disposed of during the aforesaid period along with the number of cases pending as on date and the steps being taken by the Government for their early disposal; and
- (d) the other steps taken/being taken by the Government to safeguard the land rights and livelihood of tribals?

Answer

MINISTER OF TRIBAL AFFAIRS (SHRI V. KISHORE CHANDRA DEO)

(a) to (d): A statement is laid on the Table of the House.

Statement referred to reply to parts (a) to (d) of Lok Sabha Starred Question No. 459 for answer on 26.04.2013 tabled by Shri Sudarshan Bhagat & Dr. Kirodi Lal Meena regarding "Violation of Forest Rights".

(a): The Scheduled Tribe and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 was notified for operation w.e.f. 31st December, 2007. Though substantial progress has been made towards implementation of the Act over the years in as many as 12,79,076 titles have been distributed against 32,37,656 claims filed under the Act till 31st March, 2013, the Ministry had noticed certain lacuna and bottlenecks that were impeding the intended flow of benefits of this welfare legislation to the forest dwelling communities. The Ministry has accordingly brought about appropriate changes in the Rules on 06.09.2012 and issued guidelines on 12.07.2012 to ease out the problems and hindrances encountered in the implementation of the Act, and to provide unencumbered access to rights already conferred by the Act. After the amendments in the Rules, the Ministry organized five regional consultations followed by a National meeting wherein, the State Governments were directed to implement the Act as per an Action Plan in a time bound manner and to make special efforts to create awareness about community rights so that more claims are filed and recognized.

(b): As per the provisions of the Act and Rules framed thereunder, the onus of implementation of the Act lies at the level of the State/UT Governments. Over the years certain complaints were received concerning denial of rights and eviction of tribals from forest etc. These complaints were sent to respective State/UT Governments for taking necessary action as the implementation of the Act lies with the State/UTs. The Ministry is not maintaining data regarding the number of such complaints received year-wise State/UTs wise.

(c) & (d): As per the information collected from the State/UTs Government during the last three years and the current year (i.e. 2010, 2011, 2012 and upto 31.03.2013), 12,75,719 claims filed under the Act were disposed off. As on 31.03.2013, 4,49,701 claims are still reportedly pending for disposal.

As regards the steps taken by the Governments to safeguard the land rights and livelihood of the Tribals, as indicated above the Ministry has already brought about appropriate changes in the Rules on 06.09.2012 and issued guidelines on 12.07.2012 to ensure effective implementation of the Act with a view to provide unencumbered access to rights already conferred by the Act.